

LABOR SERVICES DIVISION[875]

Notice of Intended Action

Proposing rule making related to the exception for the operation of pizza dough rollers and providing an opportunity for public comment

The Labor Commissioner hereby proposes to amend Chapter 32, “Child Labor,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is proposed under the authority provided in Iowa Code section 92.21.

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code section 92.8(10) as amended by 2022 Iowa Acts, Senate File 2190.

Purpose and Summary

This proposed rule making implements a required rule revision because of 2022 Iowa Acts, Senate File 2190, which exempts certain pizza dough rollers from being defined as “power-driven bakery machines.”

Fiscal Impact

This rule making has no fiscal impact to the State of Iowa.

Jobs Impact

The statute and rule may increase the availability of jobs for employees under the age of 18.

Waivers

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Commissioner for a waiver of the discretionary provisions, if any, pursuant to 875—Chapter 1.

Public Comment

Any interested person may submit written comments concerning this proposed rule making. Written comments in response to this rule making must be received by the Commissioner no later than 4:30 p.m. on November 8, 2022. Comments should be directed to:

Lanny Zieman
Division of Labor Services
150 Des Moines Street
Des Moines, Iowa 50309
Email: lanny.zieman@iwd.iowa.gov

Public Hearing

No public hearing is scheduled at this time. As provided in Iowa Code section 17A.4(1)“b,” an oral presentation regarding this rule making may be demanded by 25 interested persons, a governmental subdivision, the Administrative Rules Review Committee, an agency, or an association having 25 or more members.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rule-making action is proposed:

Amend subrule 32.8(10) as follows:

32.8(10) *“Occupations involved in the operation of certain power-driven bakery machines”* means the occupations of operating, assisting to operate or setting up, adjusting, repairing, oiling, or cleaning any horizontal or vertical dough mixer; batter mixer; bread dividing, rounding, or molding machine; dough brake; dough sheeter; combination bread slicing and wrapping machines; or cake cutting band saw and the occupations of setting up or adjusting a cookie or cracker machine. However, this definition does not apply to the operation of pizza dough rollers that are a type of dough sheeter that have been constructed with safeguards contained in the basic design so as to prevent fingers, hands, or clothing from being caught in the in-running point of the rollers, that have gears that are completely enclosed, and that have microswitches that disengage the machinery if the backs or sides of the rollers are removed, only when all the safeguards detailed in Iowa Code section 92.8(10) are present on the machinery, are optional, and have not been overridden.

This subrule is intended to implement Iowa Code section 92.8(10).